

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 1:25-cv-23182**

C.M., *et al.*,

*Plaintiffs*, on behalf of themselves and all others similarly  
situated,

v.

Kristi Noem, in her official capacity, *et al.*,

*Defendants.*

**PLAINTIFFS' MOTION FOR CLARIFICATION**

Plaintiffs respectfully request clarification of the Court's Order Setting Briefing Schedule and Hearing on Forthcoming Renewed Motion for Preliminary Injunction, ECF No. 27.

Plaintiffs filed their Renewed Motion for Class Classification, ECF No. 30, on July 29, 2025. Under Local Rule 7.1(c)(1), Defendants' deadline to file their responses to the class certification motion is August 12, 2025. Plaintiffs will file their reply on August 16, 2025.

Plaintiffs respectfully request confirmation that the Court will consider the motion for class certification at the hearing scheduled on August 18, 2025. *See, e.g. Fla. Imm. Coal. v. Uthmeier*, No. 25-21524, 2025 WL 1423357 at \*2 (S.D. Fla. Apr. 29, 2025) (citation omitted) (granting motion for provisional class certification with preliminary injunction); Paperless Order, *Fla. Imm. Coal.*, Apr. 12, 2025, ECF No. 35 ("During the Preliminary Injunction Hearing, the Court will hear arguments on the Motion for Preliminary Injunction (DE 4). However, to the extent the Parties believe a determination on the class certification issue is relevant to and would impact the viability of injunctive relief, the Parties may address this issue in their submissions on Plaintiffs' Motion for

Preliminary Injunction and at the Hearing.”). Defendants will not be prejudiced, as the deadline for their response brief to the class certification motion under the Local Rules is not affected.

In addition, Plaintiffs respectfully request leave to file a consolidated reply in support of the Renewed Motion for Class Certification.

### **CERTIFICATE OF CONFERENCE**

Plaintiffs’ counsel has conferred with opposing counsel by sending email to all counsel of record, stating that Plaintiffs will file their reply to the class certification motion in advance of the August 18, 2025 hearing, and that Plaintiffs seek clarification as to whether the court would like to address the motion at the hearing.

Counsel for Defendants DeSantis, FEDM, and Guthrie stated that “The State Defendants oppose the motion because they believe the Court’s scheduling order is clear that the current briefing schedule and the August 18<sup>th</sup> hearing pertain only to the Renewed Motion for Preliminary Injunction. The State Defendants believe amending that schedule and the scope of briefing with less than 3 days until their response deadline would severely prejudice Defendants.”

Counsel for Federal Defendants stated that “Federal Defendants object to the motion because the June 28 order is clear: It sets a briefing schedule and an August 18 hearing on the renewed motion for preliminary injunction, not on the class certification motion. Expanding the scope of the briefing schedule now to require a response to the class certification motion (with no corresponding change to the briefing deadlines and hearing date) would unduly prejudice the federal defendants.”

Counsel for Defendant Green states that she takes no position on the matter.

Dated: August 4, 2025

Respectfully Submitted,

Paul R. Chavez (Fla. Bar No. 1021395)  
Christina LaRocca (Fla. Bar No. 1025528)  
AMERICANS FOR IMMIGRANT JUSTICE  
2200 NW 72nd Ave  
P.O. Box No 520037  
Miami, FL 33152  
786-218-3381  
[pchavez@aijustice.org](mailto:pchavez@aijustice.org)  
[clarocca@aijustice.org](mailto:clarocca@aijustice.org)

Amy Godshall, Fla. Bar No. 1049803  
Daniel Tilley, Fla. Bar No. 102882  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF FLORIDA  
4343 West Flagler Street, Suite 400  
Miami, FL 33134  
786-363-2714  
[agodshall@aclufl.org](mailto:agodshall@aclufl.org)  
[dtalley@aclufl.org](mailto:dtalley@aclufl.org)

\* *Admitted pro hac vice.*

/s/ Eunice H. Cho

Eunice H. Cho\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
915 15th St. N.W., 7th Floor  
Washington, DC 20005  
202-548-6616  
[echo@aclu.org](mailto:echo@aclu.org)

Corene T. Kendrick\*  
Kyle Virgien\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
425 California Street, Suite 700  
San Francisco, CA 94104  
(415) 343-0770  
[ckendrick@aclu.org](mailto:ckendrick@aclu.org)  
[kvirgien@aclu.org](mailto:kvirgien@aclu.org)

*Counsel for All Plaintiffs and the Proposed  
Class*